

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

JAN 12 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Skybridge and FWCC *Ex Parte* Filings on
Regulatory Scheme for Shared Use of the
10.7-11.7 GHz Band

ET Docket No. 98-206

COMMENTS OF SBC COMMUNICATIONS, INC.

I. INTRODUCTION.

SBC Communications, Inc.¹ comments on the *ex parte* filings referenced in the above-captioned proceeding. The *ex parte* filings² represent the efforts of the Fixed Wireless Communications Coalition ("FWCC") and Skybridge L.L.C. ("Skybridge") to find a mutually acceptable regulatory structure to govern the shared use of the 10.7-11.7 GHz band. SBC is a member of the FWCC and supports the work done in reaching the proposal presented. SBC's primary interest in the proceeding is in making sure that fixed service frequencies continue to be available for internal use and future 2.1 GHz microwave relocations.

¹ SBC Communications Inc. ("SBC") is the parent/holding company of various subsidiaries conducting business under federal licenses. These subsidiaries include Southwestern Bell Telephone Company (SWBT), Pacific Bell, Nevada Bell, Southern New England Telephone Company, Ameritech and various wireless carriers including Southwestern Bell Mobile Systems, Inc. ("SBMS"), Southwestern Bell Wireless, Inc. ("SWBW") and Pacific Bell Wireless ("PBW"). The abbreviation "SBC" shall be used herein to include each of these subsidiaries as appropriate in the context.

² "Written *Ex Parte* Communication in ET Docket No. 98-206", Skybridge L.L.C. and Fixed Wireless Communications Coalition, December 8, 1999, December 22, 1999.

No. of Copies rec'd
List A B C D E

014

II. THE SKYBRIDGE/FWCC PROPOSAL IS AN ACCEPTABLE FRAMEWORK TO USE IN SOLVING A DIFFICULT PROBLEM.

The Skybridge/FWCC *ex parte* filing presents a framework that can be used to resolve the difficult and contentious issues involved in sharing spectrum allocation between different types of users. The definition proposed for the nongeostationary orbit (“NGSO”) fixed service satellite (“FSS”) gateway earth station would limit the number of earth stations entering the shared band and prevent the ubiquitous deployment of user stations in the 10.7-11.7 GHz band. The growth zone approach provides increased flexibility for the satellite system operator and protects the growth potential of existing FS operations. The cooperation and agreement of both parties in this filing provides a basis to build a spectrum sharing model that benefits satellite and fixed service operators. The agreement and cooperation between strongly vested interests serves the public interest in ensuring that new services are brought to market in a timely manner. SBC’s interest in preserving the 11 GHz band for FS operations for internal use and potential 2 GHz relocation is also addressed and supported.

III. GROWTH ZONES CAN PROTECT FS USERS, BUT IMPACT ON 2 GHz RELOCATION NEEDS TO BE INCORPORATED.

The FCC originally proposed a 100 km exclusion zone around the fifty largest cities in the US.³ This is to assure that the 11 GHz band will remain available for

³ In the Matter of Amendment of Parts 2 and 25 of the Commission’s Rules to Permit Operation of NGSO FSS Systems Co-Frequency with GSO and Terrestrial Systems in the Ku-Band Frequency Range and Amendment of the Commission to authorize Subsidiary Terrestrial use of the 12.2-12.7 GHz Band by Direct Broadcast Satellite Licensees and Their Affiliates, ET Docket No. 98-206, RM-9147, RM-925. Notice of Proposed Rulemaking released November 24, 1998 (“NPRM”), para. 24.

2 GHz relocation and provide the opportunity for growth of fixed operations. SBC supported the exclusion zone concept and suggested that it be extended to 200 km to ensure that microwave can relocate and grow in areas in which it is truly needed.⁴ SBC supported the exclusion zone to provide protection for existing 11 GHz systems and to preserve the band for 2 GHz relocation. The Skybridge/FWCC analysis of the exclusion zone found that, based on existing 11 GHz deployment, the proposed exclusion zones restricted large areas where no 11 GHz systems were operating and provided no protection in certain areas where there is intense use of the band.⁵

The Skybridge/FWCC *ex parte* presents the concept of growth zones as a substitute for the exclusion zone. The growth zones are based on counties where there are at least 30 licensed frequencies currently licensed. There are approximately 100 growth zone counties in the US as presented by Skybridge/FWCC. Once a county is identified as a growth zone, specific coordination steps are taken to protect the expandability and growth of 11 GHz systems in the area.

Using the county 11 GHz microwave density as the basic unit in identifying growth zone areas leads to a few problems. These include:

1. County sizes are not uniform throughout the country. Much larger areas are included in the west.
2. Existing 2 GHz operations should be considered to allow for more accurate projections of future growth areas.
3. Updating the county lists will be an administrative burden on the FCC.

⁴ SBC Comments in ET Docket No. 98-206, March 2, 1999, pg. 5.

⁵ Skybridge/FWCC, December 8, 1999, pp. 3-4.

The larger county size in the west provides substantially more counties, and larger areas, in the growth zone category than in the eastern 2/3 of the US.

Incorporating existing 2 GHz as potential relocation candidates may provide a more even geographic distribution of the growth zones. The task of identifying the growth zone areas as an ongoing and dynamic process should be incorporated into the coordination process to minimize the administrative burden on the FCC. SBC supports the concept of using a growth zone to preserve access to the 11 GHz band for current and future FS uses and provide additional flexibility for NGSO FSS systems, but wants the growth zone definition to incorporate 2 GHz relocation.

SBC supports the Skybridge/FWCC plan, but recommends that the technical details of coordination process and procedure be reviewed by an organization with extensive technical experience in the area. NSMA can provide an independent technical review of the proposed changes and allow greater involvement of all interested parties. The Skybridge/FWCC plan could be adopted, subject to future revision based on the NSMA review.

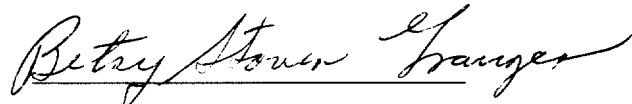
IV. CONCLUSION.

The 10.7-11.7 GHz band is an important resource for making reliable telecommunications widely available at reasonable cost. Sharing of the resource between satellite and fixed users is possible, but must be done on an equitable basis. SBC is not opposed to sharing the 10.7-11.7 GHz band with the NGSO FSS services provided that

equitable access to the band is provided to all users. This access is required to support the growth of existing FS operations and the relocation and growth of FS operations relocated from the 2 GHz band.

Respectfully submitted,

SBC Communications, Inc.

A handwritten signature in cursive script that reads "Betsy Stover Granger". The signature is written in dark ink and is positioned above the typed name and address.

Betsy Stover Granger
Pacific Bell Wireless, LLC
Its Senior Counsel
4420 Rosewood Drive, 4th Floor
Pleasanton, California 94588
Phone: (925) 227-3140
Fax: (925) 227-3079

Carol L. Tacker
SBC Wireless, Inc.
Its Vice President & General Counsel
17330 Preston Road, Suite 100A
Dallas, TX 75252
Phone: (972) 733-2005
Fax: (972) 733-2021

Alfred G. Richter, Jr.
SBC Telecommunications, Inc.
Its Senior Vice President &
General Counsel-External Affairs
175 E. Houston, Suite 1250
San Antonio, TX 78205

Roger K. Toppins
SBC Communications, Inc.
Its General Attorney &
Assistant General Counsel
External Affairs
One Bell Plaza, Suite 3008
Dallas, TX 75202

January 12, 2000